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6 Attorney for Mandie Lee Abels
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8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 MANDIE LEE ABELS,
11 Defendant-Petitioner,
12 v.
13 UNITED STATES OF AMERICA,
14 Plaintiff-Respondent.
15

Case No. 2:12-CR-00058-APG-RJJ

**EX PARTE NOTICE OF
CONFLICT AND MOTION TO
WITHDRAW AS COUNSEL**

16 Amy B. Cleary, Assistant Federal Public Defender, on behalf of Rene Valladares, the
17 Federal Public Defender for the District of Nevada, who was appointed counsel to the
18 Defendant-Petitioner MANDIE LEE ABELS, as her counsel and on her behalf, move the Court
19 to relieve the Federal Public Defender as counsel, based on an expressed conflict of interest.

20 1. The Federal Public Defender was appointed as counsel for Ms. Abels on
21 August 11, 2016, relative to her pro se motion (ECF No. 33) under 28 U.S.C. § 2255 seeking a
22 minor role reduction in her sentence pursuant to *United State v. Quintero-Leyva*, 2016 WL
23 2865713 (9th Cir. 2016). ECF No. 35.

24 2. Upon receiving the order of appointment for Ms. Abels, undersigned counsel
25 conducted a conflict check and discovered the Office of the Federal Public Defender is
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1 conflicted from this case due to previous representation of another significant actor in the
2 underlying case.

3 3. According to the Nevada Rules of Professional Conduct for lawyers and
4 Ms. Label's constitutional rights under the Fifth and Sixth Amendments to the United States
5 Constitution to have representation free of conflicts of interest, the Court is asked to relieve the
6 Federal Public Defender as counsel for Ms. Abels and to appoint replacement counsel
7 without delay.

8 DATED this 17th day of August, 2016.

9 Respectfully submitted,

10 RENE L. VALLADARES
11 Federal Public Defender

12 By: /s/ Amy B. Cleary
13 AMY B. CLEARY
14 Assistant Federal Public Defender
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